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November 9, 2005

Yvonne Horton
United States Patent and Trademark Office

FAX #: 571 273 8300
Pages: 2

RE: 10/617,945 Concealed Elevated Post Base Bracket

Dear Ms. Horton,

I received the Office Action Summary today for this invention and hereby request that you re-examine my application for the following reasons:

1. As to US Patent # 5,375,384 (WOLFSON), the heads and ends of the bolts and the nuts attached thereto (22,24) clearly protrude beyond the bolting straps and the post itself. Concealment of the nuts, bolts, and the bolting strap (which is part of the bracket) is not anticipated as it is with the Concealed Elevated Post Base Bracket (MCCARTHY).

As such, filling the bolt holes to conceal the fasteners (hardware) is not an option with WOLFSON as it is with MCCARTHY.

In addition, it is not practical or reasonably possible to clad the post with the WOLFSON design due to the unmitigated protrusion of the hardware.

I have researched the claims and descriptions of WOLFSON and found little resemblance to MCCARTHY. WOLFSON is a bracket designed specifically for use with hold-downs, which are devices used explicitly for posts contained completely inside shear walls. MCCARTHY is designed explicitly for use with decorative structural posts.

Further, according to the USPTO website, the WOLFSON patent is expired due to non-payment of maintenance fees.

2. As to US Patent # 5,666,774 (COMMINS), it is apparent that (like WOLFSON) the bracket and fastener sit proud of the structural post, thus not matching or addressing the concealment features of MCCARTHY.

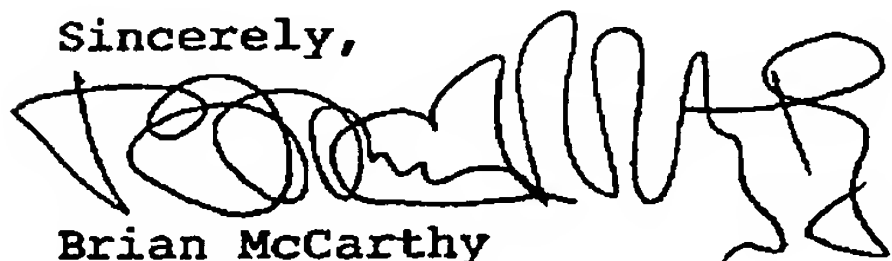
I have researched the claim of COMMINS and found no indication that concealment of the hardware is part of the claim. In fact, the COMMINS claim clearly states that its unique feature is its

adjustability. Further, there is no mention of any need to conceal or means of concealing the hardware in the claim or description of the COMMINS device.

In conclusion, the WOLFSON design precludes practical or effective concealment of the fasteners, unlike the inherent facilitation of standard finishing techniques (which have been designed into MCCARTHY). COMMINS is clearly a device intended for applications where the appearance or concealment of the device is not considered, whereas MCCARTHY is designed specifically for applications where (for aesthetic concerns) it can be easily and pleasingly concealed while providing the necessary structural support.

I appreciate your consideration of my application and this appeal for reexamination.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian McCarthy', with a stylized, cursive script.

Brian McCarthy